

REMARKS

In the Office Action of January 23, 2006, claims 1-3, 5, 7, 9-13 and 16-17 stand rejected under 35 USC 102(a) as being anticipated by Yamada et al. (US Pat. 6,679,595). Claims 6, 8, 14-15 and 18-20 stand rejected under 35 USC 103(a) as being unpatentable over Yamada et al. in view of Plesinger (US Pat. 5,563,641). Claim 4 stands objected as dependent on a rejected claim, otherwise allowable if rewritten as an independent claim.

In response to the rejections, Applicant has amended claim 1, 4, and 11. Support for the amendment to claim 1 adding, “at least one sealing portion which seals a first to-be-sealed portion of the one surface of said at least one ejector unit and a second to-be-sealed portion of the cover member to each other continuously along a an entire periphery of said at least one first opening of the cover member” is found in Fig. 16A and paragraphs 0023 and 0043 of the specification. Support for the amendment to claim 1 adding, “at least one first adhering portion which adheres, ~~and thereby fixes, the cover member to said one surface~~ a first exposed edge portion of the other surface of said at least one ejector unit, and additionally adheres to a second exposed portion of the cover member that is different from the second to-be-sealed portion thereof and is adjacent to said first exposed edge portion of said at least one ejector unit, so as to fix said at least one ejector unite and the cover member to each other and thereby provide a subassembly including said at least one ejector unit and the cover member” is found in Fig. 16E and paragraph 0046 of the specification.

Support for the amendment to claim 4 is found in the embodiment shown in Figs. 6 through 8. In Figs. 6 through 8, elements 61 (61a and 61b) correspond to the first adhering portions and elements 62 (62a and 62b) correspond to the second adhering portions.

Support for the amendment to claim 11 is found in Fig. 16A and 16E and paragraphs

0023, 0043 and 0046 of the specification. No new matter is added by the amendments.

Applicant also adds new claims 21-24. Claim 21 is dependent from claim 11 and corresponds to the features of claim 5, which in turn is dependent from claim 1. Claim 22 is an independent claim that more positively and clearly recites a characteristic feature of the present invention. Support for this claim is found in the embodiment shown in Fig. 8. Claims 23 and 24 are dependent from claim 22 and are supported by the embodiment shown in Fig. 8. No new matter is being added by the new claims.

35 U.S.C. §102(a) Rejection of Claims 1-3, 5, 7, 9-13 and 16-17

Claims 1-3, 5, 7, 9-13 and 16-17 stand rejected under 35 USC 102(a) as being anticipated by Yamada et al. (US Pat. 6,679,595) (hereinafter “Yamada”). In response, Applicant submits that the claims as amended are not anticipated by Yamada.

When compared to amended independent claim 1, Yamada fails to disclose at least one first adhering portion of claim 1. In claim 1, the first adhering portion adheres to a first exposed edge portion of at least one ejector unit that is different from the first to-be-sealed portion. Additionally, the adhering portion adheres to a second exposed portion of a cover member that is different from the second to-be-sealed portion thereof and is adjacent to the first exposed edge portion of the at least one ejector unit, so as to fix the at least one ejector unit and the cover member to each other.

Regarding amended independent claim 11, Yamada fails to disclose a step of adhering and fixing, with a first adhesive as presently claimed. Yamada fails to disclose the a step of adhering and fixing, a first exposed edge portion of at least one ejector unit that is different from the first to-be-sealed portion thereof and a second exposed portion of a cover member that is different from the second to-be-sealed portion thereof and is adjacent to the first exposed edge

portion of the at least one ejector unit, to each other, with a first adhesive.

Moreover, Office Action on Page 3 recites that Yamada discloses at least one first adhering portion (156) which adheres, and thereby fixes, the cover member (144) to said at least one ejector unit (106), and he refers to Figs. 14, 18, and 19 of Yamada et al. However, Applicant respectfully submits that this statement is erroneous. Regarding element 156, Yamada states, at column 10, lines 61-66, that “[t]he cover plate 144 is fixed to the front side surface (lower surface) of each of the piezoelectric ink jet heads 106, by the use of a second adhesive 156 (Figs. 18 and 19) made of silicone having ink repellency, which is applied to the periphery of each of the two windows 144a.” Thus, the second adhesive 156 of Yamada’s invention instead corresponds to the sealing portion recited in claim 1 of the present application.

Regarding the sealing portion, the Office Action on page 3 states that Yamada et al. discloses at least one sealing portion (sealer) which seals said at least one ejector unit (6 or 106) and the cover member (44 or 144) to each other along a periphery of said at least one first opening (44a or 144a) of the cover member (44 or 144), and he refers to Figs. 13 and 14 and column 1, lines 27-29, of Yamada. In fact, Yamada states, at column 1, lines 27-29, that [t]he cover plate is hermetically sealed around the ink jet head by the use of a sealer made of silicon[e].” Thus the second adhesive 156 of Yamada’s invention corresponds to this sealer.

In view of the above, Yamada fails to disclose providing the first adhering portion (as required by claim 1) that adheres to the cover member and the ejector unit, so as to fix them to each other. Likewise, Yamada fails to disclose providing a step (as required by claim 11) of adhering and fixing, with a first adhesive, the ejector unit and the cover member to each other.

In addition, Yamada fails to disclose, regarding claim 1, at least one second adhering portion which adheres, and thereby fixes, the subassembly including the ejector unit and the

cover member, to the bottom wall of the frame member. Yamada also fails to disclose, regarding claim 11, a step of adhering and fixing, with a second adhesive, the subassembly to the bottom wall of the frame member.

For the above-indicated reasons, independent claims 1 and 11 and dependent claims 2-3, 5, 7, 9-10, 12-13, and 16-17 are not anticipated by Yamada et al. Therefore, Applicant believes that the invention presently claimed in claims 1-3, 5, 7, 9-13 and 16-17 is patentable. Withdrawal of the rejection is respectfully requested.

35 U.S.C. § 103(a) Rejection of Claims 6, 8, 14-15 and 18-20

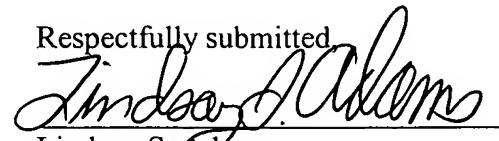
Claims 6, 8, 14-15 and 18-20 are rejected under 35 U.S.C. § 103(a) as being obvious over Yamada et al. in view of Plesinger. Plesinger is relied upon by the Examiner in rejecting dependent claims 6, 8, 14-15, and 18-20.

However, Applicant respectfully submits that Plesinger fails to compensate for the above-indicated deficiencies of Yamada. For example, Plesinger states at column 6, lines 39-41, that “[a]n adhesive 60 may be used to hold the orifice plate 20 in the recessed portion 58, is so desired.” However, Plesinger does not teach or suggest providing, in addition to the adhesive 60, at least one sealing portion or at least one first or second adhering portion, in contrast to claim 1 and claim 11.

For the above-indicated reasons, none of the dependent claims 6, 8, 14-15, and 18-20 are rendered obvious over Yamada even in view of Plesinger. Therefore, the rejection to those claims under 35 USC §103 over Yamada. in view of Plesinger should be withdrawn.

Applicants do not believe that any additional fees are due other than the fee for the request for the two month extension of time submitted with this response. However, if any additional fees are due, please charge such sums to our Deposit Account 50-1145.

Respectfully submitted



Lindsay S. Adams
Reg. No. 36,425

Gerald Levy
Reg. No. 24,419

Attorney for Applicant

Pitney Hardin LLP
7 Times Square
New York, NY 10036-7311